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 DATE FILED: 07-10-08

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

-----X
 DDK & COMPANY LLP,

Plaintiff,

v.

LENNY DYKSTRA and TERRY DYKSTRA,

Defendants.
 -----X

**CIVIL CASE DISCOVERY PLAN
 AND SCHEDULING ORDER**

08 Civ. 01706 (JGK)

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rule 26(f) and 16 of the Federal Rules of Civil Procedure.

This case is / is not to be tried to a jury.

Joinder of Additional parties must be accomplished by Aug. 30, 2008.

Amended pleadings may be filed until Aug. 30, 2008.

Discovery:

1. Interrogatories are to be served by all counsel no later than ¹² Sept. 30, 2008, and responses to such interrogatories shall be served within thirty (30) days thereafter.
2. First request for production of documents to be served no later than ¹² Sept. 30, 2008.
3. Fact depositions to be completed by Dec. 1, 2008.
4. Any further interrogatories, including expert interrogatories, to be served no later than Dec. 30, 2008.
5. Requests to admit, if any, to be served no later than January 30, 2009.
6. All discovery to be completed by Feb. 28, 2009.

This case has been designated to the Hon. _____,
 United States Magistrate Judge for discovery disputes.

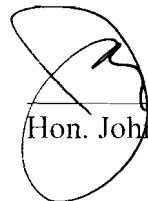
Unless otherwise ordered by the Court, the parties are expected to commence discovery upon the receipt of this signed Scheduling Order.

This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Brief a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial readiness consistent with that agreed date.

New York, New York

7/9/08

SO ORDERED

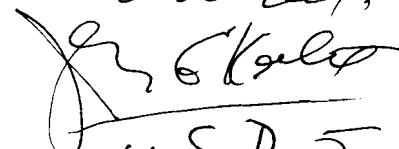
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Hon. John G. Koeltl, U.S.D.J.

Dispositive Motions if any are to be
served and filed by March 13, 2009.

Joint Pre-Trial Order to
be filed by March 27, 2009.

Ready for Trial, 48 hours notice,
on April 10, 2009.

7/9/08

So ordered,

U.S.D.J.